REMARKS

This supplemental amendment has been presented to correctly identify the claim language desired at line 6 in claim 1 to state "a <u>bonus</u> prize awarded being a product of the numbers displayed by the devices and wherein the bonus prize is multiplied by a multiplier if the numbers displayed by the devices comprise a predetermined combination." The following remarks from the original response are included for your convenience.

Claims 1-28 were originally filed in this application. In this response, claims 1 and 11-16 have been amended. New claims 29-32 have added. Consequently, claims 1-29 remain under consideration. Support for the amendments to the claims can be found in the specification. Therefore, no new matter has been added. Amendment of a claim is not to be construed as a dedication to the public of any subject matter.

Claim Rejections - 35 U.S.C. § 112

The Examiner rejected claim 1 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner indicates that it is unclear whether the prizes referred to are the same prize or different prizes.

In response, claim 1 has been amended to refer to a prize awarded in the game and a bonus prize awarded in the bonus feature.

It is therefore submitted that claim 1 as amended particularly points out and distinctly claims the subject matter which Applicant regards as the invention.

Claim Rejections - 35 U.S.C. § 103

The Examiner has rejected Claims 1-7 and 15-21 under 35 U.S.C. §103(a) as being unpatentable over US 6,173,955 ("Perrie"). Claims 8-10 and 22-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Perrie in light of US 6,394,901 ("Marta"). Claims 11-13 and 25-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Perrie in view Marta and

further in view of US 2003/00714117 ("Webb"). Claims 14 and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Perrie in light of US 6,551,187 ("Jaffe").

Independent claim 1

Claim 1 as amended defines a gaming machine having a display means and a game control means arranged to control images of symbols displayed on the display means. The game control means is arranged to play a game wherein at least one random event is caused to be displayed on the display means and, if a predefined winning event occurs, the machine awards a prize. The game includes a bonus feature which, when triggered, results in the display of a plurality of devices, each of which animates to reveal a number, a bonus prize awarded being a product of the numbers displayed by the devices. The bonus prize is multiplied by a factor if the numbers displayed by the devices comprise a predetermined combination.

(1) The use of multiplication instead of addition

The Examiner asserts that Perrie discloses awards based upon mathematical functions such as addition or the combination of addition and subtraction. The examiner next asserts that multiplication is common in the gaming art. The resulting conclusion by the examiner is that it would be obvious to modify Perrie to base awards on the product of the values that are represented on the faces of the dice. The applicant submits that multiplication, as used in this manner, is not common in the gaming art.

Where multiplication is used, it is typically used to add potential excitement to a game by multiplying an existing award. Webb, cited by the Examiner, is an example of this use of multiplication. This is in contrast to claim 1 both before and following the presently proposed amendments, in which the multiplication is used to determine the award, which is also in contrast to claim 1, where the ward is the product of the revealed numbers, which (according to the claim as amended) may be multiplied if a combination exists.

In Schedule C of Table IV of Perrie, the payoff table indicates that the sum of dice is used to indicate an award. The sum of the dice that can be entered into Schedule C may be

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between 5 and 30. In contrast, if the product of the dice were used, then the range would be between 1 and 1776. This range becomes even greater if the teaching of Perrie is used to add together multiple entries from a Schedule to determine the total prize. In the field of casino game machines, such a change in range has major consequences to the mathematics of the game. It is of note that the gaming industry is a regulated industry and that typically specific return to player percentages must be maintained. Therefore, while a change from addition to multiplication may seem minor to those outside of the gaming industry, the change is in reality a major change.

Webb teaches a bonus factor of between 1 and 6 or between 1 and 36 if two dice are used. Therefore, if the bonus factor of Webb was further applied to combination of using multiplication in the game taught by Perrie, then the possible range of prizes is between 1 and 46656 (or between 1 and 279936), making the change from what Pierre contemplates even larger. No teaching, suggestion or motivation can be found in Perrie or Webb to make such a major change to the outcomes of the game. The change becomes even larger in light of the additional multiplication contemplated by claims 14, 28, 31, and 32.

Perrie may teach some entries in a pay table may result from the addition of numbers (see for example Schedule C of Table IV). But the prize that is awarded by Perrie is the sum of all entries from Schedule C, which is dependent on whether there was the occurrence of the combinations in the "entry" column of Table IV. This is in contrast to the Applicant's invention as claimed in claim 1, where the prize is the product of the displayed numbers, even if no special or particular "winning" combination has been displayed.

(2)   The use of a single set of revealed numbers to determine the prize and the multiplier in contrast to a separate bonus round to determine the multiplier

Perrie relates to a method of playing a poker dice casino game. The games used X dice, each of the X dice having F faces with a different symbol thereon so as to form a set {S} of symbols on each of the X dice. The method of Perrie includes the steps placing a wager, rolling the dice, holding none, any, or all of the rolled dice, ending the casino poker dice games when

the dice are all held or when re-rolling occurs y times. Perrie pays out any winning combinations of symbols based on the placed wager and in response to the step of ending the game (see abstract).

In the Applicant's understanding, Perrie's method of calculating payoffs is different from the method defined in claim 1 of the present application. Perrie examines the combinations in a hand and then refers to a payoff table to establish what the player is paid. See, for example, Table I and Col. 4, lines 57-60: "the player is paid according to the payoff table 230 any payoffs for any existing winning combinations in the hand." Table II in col. 5 also shows a table of winning combinations and associated payoffs. Col. 8, lines 57-60 states that "randomly generated rolled dice values are then used in a look up table, at the end of the hand, to determine whether a winning combination exists and, if so, the corresponding payoff is paid." This method of evaluating a hand (or other game event) for a particular outcome and then looking that outcome up on a payoff table is the way in which almost all games on a gaming machine are played.

In contrast to the method of Perrie, the bonus prize awarded by the gaming machine of claim 1 is the product of the numbers displayed on the animated devices (which are dice in one embodiment). Therefore, the prize is not dependent on particular combinations in the same way that the prizes in Perrie are dependent on combinations.

Furthermore, claim 1 specifies that the second prize is further multiplied by a factor if the numbers displayed by the devices comprise a predetermined combination. Applicant submit that this multiplication of the prize is not taught or suggested in Perrie.

The Examiner relies on Webb as disclosing bonus multipliers. Webb teaches that after establishing at least one winning combination according to rules of an existing casino game and playing the game to arrive at a player result, the player result is compared with the winning combinations to determine if the player result is a winning result. Subsequently, if a player result is also a qualified result, the player can enter a bonus round to determine a bonus multiplier of bonus factor for the player payout (see the abstract).

The Examiner asserts that it would be obvious to modify Perrie in view of Webb to provide a game wherein bonus factors are based upon the product of the numbers represented by symbols on dice if a player receives multiple matches of a certain number of symbol on the dice. With respect, the Applicant disagrees.

While Perrie may disclose an award that is based on a particular mathematical function (a sum), Perrie does not suggest that this could be the subject of a multiplier. Webb on the other hand discloses a specific method by which to award a multiplier, requiring a particular outcome in a game, determining a payout according to a payout table and then entering a separate bonus round to determine a bonus multiplier. If any modification to Perrie in view of Webb was to be made, the resulting combination would be to initiate a further bonus round in addition to the rolling of the dice that determined the prize as in Perrie. This hypothetical combination is not the current invention or an obvious variation of amended claim 1.

Therefore, claim 1 as currently amended requires that the bonus prize be multiplied by a multiplier if the numbers displayed by the devices comprise a predetermined combination. In addition to the range of prizes that may result (see herein above), this is in contrast to any modification of Perrie in view of Webb in at least two further important respects:

1)   In claim 1 the award of a multiplier is determined by the numbers revealed on the devices. Webb teaches the play of an additional bonus round to determine the multiplier.

2)   In claim as currently amended, the award from the game is determined by the numbers displayed on the devices (e.g. numbers rolled up on dice), and a multiplier is applied dependent on whether there is a specific combination. This is the opposite of Webb, which teaches that the award from the game is predetermined for a particular combination and the multiplier can then be rolled up (in a separate game event) on a die or dice.

No teaching, suggestion, or motivation can be found in Webb or Perrie to reverse the determination of prizes in Webb. The Examiner asserts that the motivation for modifying Perrie is to increase excitement and playing time of a player. However, Webb teaches that the bonus

multiplier proves added excitement, but this at least only leads to the modification of Perrie to add a further bonus round that determines a multiplier, not the determination of a multiplier based on whether a particular combination in the present play of a feature game.

For at least the reasons described above, it is respectfully submitted that claim 1 is patentable in light of the cited prior art.

Independent claims 15 and 29

It is submitted that claims 15 and 29 are patentable in light of the cited prior art for at least the reasons discussed above in relation to claim 1.

Dependent claims

The remaining claims in the application are dependent on claim 1, 15 or 29 and are believed to be patentable over the cited prior art at least by virtue of this dependency. However, each of the dependent claims is deemed to define an additional aspect of the invention and separate consideration of each is requested.

In the office action, claims 10 and 24 are rejected as being unpatentable over Perrie in light of Marta. The office action contends that Marta discloses the throwing of the dice one after another and refers to figures 3a-3f of Marta. The Applicant respectfully disagrees with this interpretation of Marta and submits that Marta teaches the simultaneous rolling and throwing of two dice.

Marta describes a gaming device configured as a slot machine to play the dice game of craps. As described in column 1, lines 22-27 of Marta, the shooter rolls the dice from his bare hand, no cup ever being used. The user shakes the dice before rolling, "generally producing clicking to assure the other players that he is not casting them in a preset position or mode." Marta thus presents it as a requirement of craps that the two dice be played simultaneously.

Figs. 7 and 8 of Marta depict a simple tumbling mechanism for agitating the dice during non-playing rest modes. In Fig. 7, the dice are agitated by a mechanical vane stirrer rotating within the chamber. Upon initiation of play, a gate opens and the dice fall into a chute to be conveyed to a "hand." After a play, the dice are conveyed back to the chamber. (see Col. 7, lines 17-25).

It is submitted that Marta teaches simultaneous agitation and rolling two dice. Throwing the dice one at a time, as in claims 10 and 24 of the present application, would fundamentally change the method of Marta, which is to simulate the dice game of craps. For this additional reason, it is submitted that claims 10 and 24 are non-obvious in light of Perrie and Marta.
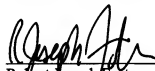
Dependent claims 14, 28, 31, and 32 are nonobvious for the same reasons as discussed above in the section outlining the difference between the use of multiplication instead of addition.

Conclusion

Applicants have complied with all requirements made in the above referenced communication. Applicants submit that the present application is in condition for allowance, and therefore, respectfully request that a timely Notice of Allowance be issued in this case. Should matters remain, which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicants' undersigned agent.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to Deposit Account Number **50-2638**. Please ensure that Attorney Docket Number 75144-011300 is referred to when charging any payments or credits for this case.

Respectfully submitted,

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